

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1) DAVID CONVERSE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 14-CV-650-GKF-PJC
	)	
(1) STATE FARM FIRE AND CASUALTY	)	
COMPANY,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

The Petitioner, State Farm Fire and Casualty Company states the following:

1. The above-entitled cause was commenced in the District Court of Tulsa County, entitled *David Converse v. State Farm Fire and Casualty Company*, Case No. CJ-2014-3744. Defendant was served Summons and Petition through service on the Oklahoma Insurance Commissioner by certified mail on October 7, 2014. A copy of Plaintiff's Petition setting forth his claims for relief upon which the action is based is attached hereto and marked Exhibit 1. A copy of the return of service documenting service on October 7, 2014 is attached hereto and marked Exhibit 2.

2. State Farm Fire and Casualty Company is incorporated in the State of Illinois where it has its principal place of business. Plaintiff is a citizen and resident of the State of Oklahoma, residing in Tulsa County, Oklahoma. (*See Plaintiff's Petition*, p. 1, ¶ 1, Ex. 1). Plaintiff's cause of action is for alleged breach of an insurance contract and alleged breach of the implied duty of good faith and fair dealing. The matter in controversy between Plaintiff and Defendant, according to Plaintiff's demand, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interests and costs. (*See Plaintiff's Petition*, p. 5, Ex 1).

3. This Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1332 (1992), by reason of the fact that this is a civil action wherein the amount in controversy, according to Plaintiff's demands, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interest and costs and is between citizens of different states. Accordingly, this action may be removed by Defendant pursuant to 28 U.S.C. § 1441(a).

4. This Notice of Removal is filed in this Court within thirty (30) days after October 7, 2014, the date Defendant was served with a copy of Plaintiff's Petition, which was the initial pleading setting forth the claims for relief upon which this action is based. (*See* Return of Service, Ex. 2).

5. Copies of all process and pleadings served upon Defendant have been attached hereto as follows: Petition, Ex. 1; Return of Service, Ex. 2. Pursuant to LCvR 81.2, a copy of the state court docket sheet is attached as Exhibit 3.

**WHEREFORE**, Defendant, State Farm Fire and Casualty Company prays this action be removed.

Dated this 27<sup>th</sup> day of October, 2014.

Respectfully submitted,

**ATKINSON, HASKINS, NELLIS,  
BRITTINGHAM, GLADD & FIASCO**  
A PROFESSIONAL CORPORATION

/s/ John S. Gladd

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Attorney for Defendant State Farm Fire and Casualty  
Company

**Certificate of Service**

I hereby certify that on October 27, 2014, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Mr. Donald E. Smolen, II  
Ms. Laura Lauth  
Mr. Jack Beesley  
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Attorneys for Plaintiff

/s/ John S. Gladd